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## *Memorandum*

TO: BATA Oversight Committee

DATE: January 6, 2010

FR: Executive Director

W. I. 1251

RE: Contract: Construction of San Francisco-Oakland Bay Bridge Toll Administration Building:  
Roebbelen Contracting, Inc.

### **Background**

The existing Toll Operations Building at the San Francisco-Oakland Bay Bridge (SFOBB) poses a seismic risk because of its outdated design and location on liquefiable soil. After the Loma Prieta earthquake, retrofit was deemed infeasible because of the high cost and the need for continued operations during construction. Caltrans and BATA agreed that BATA would issue and award a construction contract for the project and that both agencies would participate in the management of the project. In October 2009, design for the building was completed, and the required permits (Caltrans Encroachment, State Fire Marshal Fire/Life Safety, and Division of State Architect Accessibility) have been obtained. Less contingency, the engineer's estimate for the building construction was approximately \$17 Million.

### **Invitation for Bid**

On October 31, 2009 BATA issued an Invitation for Bid for construction of the new building. The IFB stated that the contract would be awarded to the responsible bidder submitting the lowest responsive bid. Six bids were opened on December 17, 2009, as follows:

<b>Bidder</b>	<b>Location</b>	<b>Amount</b>
Roebbelen Contracting, Inc.	El Dorado Hills, CA	\$13,787,028.10
Alten Construction, Inc.	Richmond, CA	\$14,345,417.00
Geney/Gassiot-Overaa, a Joint Venture	Richmond, CA	\$14,645,000.00
S.J. Amoroso Construction Co., Inc.	Redwood Shores, CA	\$15,007,000.50
Swinerton Builders	San Francisco, CA	\$15,075,801.00
Webcor Construction LP & Obayashi USA LLC	San Mateo, CA	Withdrew Bid due to clerical error

**Table 1: Bid Results**

As set forth above, Roebbelen was the apparent low bidder. Staff verified Roebbelen's bid to determine responsiveness and responsibility. A bid is responsive if it promises to do what is required by the bidding instructions. Responsiveness can be determined by the face of the bid. A bidder is responsible if it has the capability to perform the contract as promised.

After submitting its bid, Roebbelen requested two subcontractor substitutions:

1. Roebbelen listed Substructure Support, Inc. (“SSI”) of Oakland as its pile driving subcontractor. Although not apparent from the face of Roebbelen’s bid, SSI’s price was based on a less expensive alternative piling system not approved by BATA. After bid opening, Roebbelen requested that SSI be replaced by Stroer & Graff, Inc. of Antioch for the pile work at no additional cost to BATA. In support of its request for substitution, Roebbelen sent BATA a letter it received from SSI requesting withdrawal. The additional cost to Roebbelen by substituting Stroer & Graff for SSI is estimated by BATA to be \$170,000, based on the other bids received. Roebbelen’s surety will not authorize payment and performance bonds unless Roebbelen can demonstrate that it can absorb the additional cost.
2. Roebbelen requested that its rebar subcontractor, MCR, Inc. of Livermore be replaced by Pacific Coast Steel of Fairfield. In support of this request, Robbelen sent BATA MCR’s letter requesting that it be replaced.

BATA intends to approve both substitutions, as allowed by Section 4107 of the California Public Contract Code. Roebbelen has confirmed its bid price.

### **Contingency**

The project budget includes \$1,600,000 in contingency funds to cover the following work not included in the scope of work, if needed: traffic flagging, micropiling in the existing basement, additional foundation work due to differing site conditions, and partnering. The project budget also includes a standard contingency of \$2,100,000, 12.5% of the engineer’s estimate, to cover unknown project costs not included in the scope of work. The contingency amounts, totaling \$3,700,000, are separate from the contract amount with Roebbelen and are to be used at BATA’s sole discretion for changes in the work.

### **Recommendation**

Staff recommends that this Committee authorize the Executive Director or his designee to award the contract for construction of the SFOBB Toll Operations Building to Roebbelen Contracting, Inc. in the amount of \$13,787,028.10, and give the Executive Director, or his designee, authority to use contingency funds in the amount of \$3,700,000.

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Steve Heminger

SH:SW

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## **REQUEST FOR COMMITTEE APPROVAL**

### **Summary of Proposed Contract**

Work Item No.: 1251

Contractor: Roebbelen Contracting, Inc (El Dorado Hills).

Work Project Title: Construction Contract for SFOBB Toll Operations Building

Purpose of Project: Construct a new Toll Operations Building in Oakland for SFOBB

Brief Scope of Work: Construct a new Toll Operations Building directly east of the existing building in the Toll Plaza median. Partially demolish the existing building, and retrofit and renovate the existing basement. Complete demolition of the existing building, and provide landscaping and related site improvements.

Project Cost Not to Exceed: \$13,787,028.10 plus contingency and supplemental work funds totaling \$3,700,000 (not included in the contract).

Funding Source: Toll Bridge Rehabilitation Program Funds

Fiscal Impact: Project costs will be consistent with funds programmed and budgeted.

Motion by Committee: That the Executive Director or his designee be authorized to award the contract for construction of the SFOBB Toll Operations Building to Roebbelen Contracting, Inc. for the amount of \$13,787,028.10, and to give the Executive Director, or his designee, authority to use contingency funds in the amount of \$3,700,000 as follows: \$1,600,000 for traffic flagging, micropiling in the existing basement, additional foundation work related to differing site conditions, and partnering and \$2,100,000 for any other changes not included in the scope of work, and that the Chief Financial Officer is directed to set aside funds for such contract and for the contingency.

BATA Oversight Chair

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Bill Dodd, Chair

Approved: Date: January 13, 2010